

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-1128-A1)

In the Application of:	)	
	)	
Richard Martin	)	
	)	Examiner: TBD
Serial No. 10/565,702	)	
	)	Art Unit: TBD
International Application No. PCT/US04/23745	)	
	)	Confirmation No.: 2568
International Filing Date: July 23, 2004	)	
	)	
For: Azepine Derivatives as Pharmaceutical Agents	)	
	)	

RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE DATED JUNE 21, 2006

Mail Stop – Missing Requirements  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

In response to the notice mailed June 21, 2006, enclosed please find the Declaration and Power of Attorney documents in compliance with 37 CFR 1.497(a) and (b) and Petition for One (1) Month Extension of Time.

Also, please charge the \$130.00 surcharge and \$120.00 Petition for Extension of Time fee to deposit account 13-2490.

Respectfully submitted,

Dated: September 13, 2006

By: /Michael S. Greenfield/  
Michael S. Greenfield  
Registration No. 37,142



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,702	Richard Martin	05-1128-A1

INTERNATIONAL APPLICATION NO.
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PCT/US04/23745

I.A. FILING DATE	PRIORITY DATE
07/23/2004	07/23/2003

020306

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

**DOCKETED**

CONFIRMATION NO. 2568

371 FORMALITIES LETTER



\*OC000000019346476\*

JUN 27 2006  
Oath/Decl  
DUE DATE: Fees 8-21-06  
BY: *[Signature]*

Date Mailed: 06/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/23/2006
- Copy of the International Search Report filed on 01/23/2006
- Preliminary Amendments filed on 01/23/2006
- Information Disclosure Statements filed on 01/23/2006
- U.S. Basic National Fees filed on 01/23/2006
- Priority Documents filed on 01/23/2006
- Specification filed on 01/23/2006
- Claims filed on 01/23/2006
- Abstracts filed on 01/23/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ~~Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.~~
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,702	PCT/US04/23745	05-1128-A1

FORM PCT/DO/EO/905 (371 Formalities Notice)